

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

REPAIRIFY, INC.,	)	
	)	
Plaintiff,	)	Case No. 6:21-cv-00819-ADA-DTG
	)	
v.	)	
	)	
KEYSTONE AUTOMOTIVE	)	
INDUSTRIES, INC. d/b/a ELITEK	)	
VEHICLE SERVICES, and DOES 1	)	
through 20, inclusive,	)	
	)	
Defendants.	)	

**DECLARATION OF JOSEPH SALTIEL IN SUPPORT OF  
DEFENDANT’S OPPOSED MOTION FOR CONTEMPT AND SANCTIONS UNDER  
FRCP 37(b)(2), OR IN THE ALTERNATIVE, SANCTIONS UNDER 37(c) AND/OR THE  
INHERENT AUTHORITY OF THIS COURT**

I, Joseph Saltiel, declare as follows:

1. The facts set forth herein are based on my personal knowledge and/or documents that I have personal knowledge of sufficient to authenticate them, including those attached hereto, and are true and correct to the best of my knowledge, belief, recollection, and understanding.
2. I am an attorney at the law firm of Irwin IP LLP, counsel of record in this action for Defendant Keystone Automotive Industries, Inc. d/b/a Elitek Vehicle Services (“Elitek”).
3. I submit this declaration in support of Defendant’s motion for contempt and sanctions under FRCP 37(b)(2), or in the alternative, sanctions under 37(c) and/or the inherent authority of this court.
4. Attached as Exhibit A is a true and correct copy of an email from February 1, 2023 from counsel for Elitek to Repairify identifying a list of documents concerning Repairify studies

in response to the granting of Elitek's motion to compel in the Court's Discovery Dispute Order, Docket No. 76.

5. Attached as Exhibit B is a true and correct copy of the email chain from March 3, 2023, to March 13, 2023 between counsel for Repairify and Elitek regarding a meet and confer that included discussion of RPFY010557 and Repairify's claim of irrelevance.

6. Attached as Exhibit C is a true and correct copy of Plaintiff Repairify, Inc's May 3, 2023, Objections and Responses to Defendant Keystone Automotive Industries, Inc. Third Set of Requests for Production.

7. Attached as Exhibit D is a true and correct copy of the email chain from May 24, 2023 to June 12, 2023 between counsel for Repairify and Elitek regarding a meet and confer that included discussion of Elitek's Request for Production No. 62 regarding documents related to the field study RPFY10557.

8. Attached as Exhibit E is a true and correct copy of the email chain from June 20, 2023 to July 7, 2023 between counsel for Repairify and Elitek regarding Repairify's decision to not produce documents related to RPFY01557.

9. Attached as Exhibit F is a true and correct copy of Elitek's submission on August 17, 2023, of its discovery dispute chart pursuant to Judge Albright's Standing Order Governing Proceedings (OGP) 4.3.

10. Attached as Exhibit G is a true and correct excerpt of the September 5, 2023, Sealed Discovery Hearing Transcript with the relevant portions highlighted where Magistrate Judge Gilliland heard oral argument from the parties.

11. Attached as Exhibit H is a true and correct copy of the September 20, 2023 email from Repairify regarding its production of the five specific case studies mentioned in the Court Order as RPFY0259215-19.

12. Attached as Exhibit I is a true and correct copy of the email chain from September 21, 2023 to October 2, 2023 between counsel for Repairify and Elitek regarding Repairify's deficient production of summaries in response to this Court's order.

13. Attached as Exhibit J is a true and correct excerpt of the August 28, 2023 deposition of Repairify president Christopher Hollingsworth, with the relevant portions highlighted, including the cover page and pages 159-160 that discuss summary data tables generated from Repairify's testing described in RPFY010557.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed on October 10, 2023, in Chicago, Illinois.

/s/ Joseph A. Saltiel  
Joseph A. Saltiel

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Joseph A. Saltiel  
Joseph A. Saltiel